

**MISSOURI STATE AUDITOR'S OFFICE
FISCAL NOTE (16-033)**

Subject

Initiative petition from Angela Daniels regarding a proposed constitutional amendment to Article VIII. (Received March 5, 2015)

Date

March 25, 2015

Description

This proposal would amend Article VIII of the Missouri Constitution.

The amendment is to be voted on in November 2016.

Public comments and other input

The State Auditor's office requested input from the **Attorney General's office**, the **Department of Agriculture**, the **Department of Economic Development**, the **Department of Elementary and Secondary Education**, the **Department of Higher Education**, the **Department of Health and Senior Services**, the **Department of Insurance**, **Financial Institutions and Professional Registration**, the **Department of Mental Health**, the **Department of Natural Resources**, the **Department of Corrections**, the **Department of Labor and Industrial Relations**, the **Department of Revenue**, the **Department of Public Safety**, the **Department of Social Services**, the **Governor's office**, the **Missouri House of Representatives**, the **Department of Conservation**, the **Department of Transportation**, the **Office of Administration**, the **Office of State Courts Administrator**, the **Missouri Senate**, the **Secretary of State's office**, the **Office of the State Public Defender**, the **State Treasurer's office**, **Adair County**, **Boone County**, **Callaway County**, **Cass County**, **Clay County**, **Cole County**, **Greene County**, **Jackson County Legislators**, **Jasper County**, **St. Charles County**, **St. Louis County**, **Taney County**, the **City of Cape Girardeau**, the **City of Columbia**, the **City of Jefferson**, the **City of Joplin**, the **City of Kansas City**, the **City of Kirksville**, the **City of Mexico**, the **City of Raymore**, the **City of St. Joseph**, the **City of St. Louis**, the **City of Springfield**, the **City of Union**, the **City of Wentzville**, the **City of West Plains**, **Cape Girardeau 63 School District**, **Hannibal 60 School District**, **State Technical College of Missouri**, **Metropolitan Community College**, **University of Missouri**, **St. Louis Community College**, **St. Louis County Election Board**, **St. Louis City Election Board**, **Kansas City Election Board**, **Platte County Board of Elections**, **Jackson County Election Board**, and **Clay County Election Board**.

Assumptions

Officials from the **Attorney General's office** indicated they assume that any potential costs arising from the adoption of this proposal can be absorbed with existing resources.

Officials from the **Department of Economic Development** indicated no impact to their department.

Officials from the **Department of Elementary and Secondary Education** indicated this legislation does not impact their department or local schools.

Officials from the **Department of Higher Education** indicated this initiative petition does not have a direct fiscal impact on their department.

Officials from the **Department of Health and Senior Services** indicated no fiscal impact on their agency.

Officials from the **Department of Insurance, Financial Institutions and Professional Registration** indicated this petition, if passed, will have no cost or savings to their department.

Officials from the **Department of Mental Health** indicated this proposal creates no direct obligations or requirements to their department that would result in a fiscal impact.

Officials from the **Department of Natural Resources** indicated they would not anticipate a direct fiscal impact from this proposal.

Officials from the **Department of Corrections** indicated no impact.

Officials from the **Department of Labor and Industrial Relations** indicated no fiscal impact on their department.

Officials from the **Department of Revenue** indicated this initiative petition will not have a fiscal impact on their department.

Officials from the **Department of Public Safety** indicated there is no fiscal impact for their department for this initiative petition.

The **Missouri State Highway Patrol** indicated it anticipates no fiscal impact.

Officials from the **Department of Social Services** indicated no fiscal impact on their agency.

Officials from the **Governor's office** indicated there should be no fiscal impact to their office.

Officials from the **Missouri House of Representatives** indicated no fiscal impact to their office.

Officials from the **Department of Conservation** indicated that no adverse fiscal impact to their department would be expected as a result of this proposal.

Officials from the **Office of Administration** indicated this proposal will have no fiscal impact to their office.

Officials from the **Office of State Courts Administrator** indicated there is no fiscal impact on the courts.

Officials from the **Missouri Senate** indicated no fiscal impact on their office.

Officials from the **Secretary of State's office** indicated:

This initiative petition would allow incarcerated prisoners and offenders on probation or parole to vote. If approved by voters, this petition would incur costs to both state and local governmental entities.

Mailing envelopes used to return absentee ballots are printed with business reply permits, the cost of which is reimbursed by the Missouri Secretary of State's Office (pursuant to Section 115.285, RSMo). Each envelope marked with a business reply permit costs \$1.80.

The Missouri Department of Corrections' prison population totals 31,908 (as of 6/30/14). Assuming these incarcerated individuals are otherwise eligible to vote in the state of Missouri, this petition would cost the Missouri Secretary of State's Office between \$0 and \$172,303.20 in Fiscal Year 2017 and between \$0 and \$287,172 in Fiscal Year 2018.

FY 2017 Election Dates (After petition election date on 11/8/16)

February 2017

March 2017

April 2017

FY 2018 Election Dates

August 2017

November 2017

February 2018

March 2018

April 2018

Business Reply Permit Printing

31,908 Missouri inmates x \$1.80 per envelope = \$57,434.40

\$57,434.40 x 3 Missouri election dates in FY 2017 = \$172,303.20

\$57,434.40 x 5 Missouri election dates in FY 2018 = \$287,172

Local Election Authorities bear the cost of printing ballots for each election. Based on the current Missouri Department of Corrections' prison population of 31,908 and 64,841 supervised offenders on probation or parole, assuming these individuals are otherwise eligible to vote in the state of Missouri, this petition would potentially require Local Election Authorities to print an additional 96,749 ballots per election.

The Secretary of State's office is required to pay for publishing in local newspapers the full text of each statewide ballot measure as directed by Article XII, Section 2(b) of the Missouri Constitution and Section 116.230-116.290, RSMo. The Secretary of State's office is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. Funding for this item is adjusted each year depending upon the election cycle with \$1.3 million historically appropriated in odd numbered fiscal years and \$100,000 appropriated in even numbered fiscal years to meet these requirements. Through FY 2013, the appropriation had historically been an estimated appropriation because the final cost is dependent upon the number of ballot measures approved by the General Assembly and the initiative petitions certified for the ballot. In FY 2013, at the August and November elections, there were 5 statewide Constitutional Amendments or ballot propositions that cost \$2.17 million to publish (an average of \$434,000 per issue). In FY 2015, the General Assembly changed the appropriation so that it was no longer an estimated appropriation and the Secretary of State's Office was appropriated \$1.19 million to publish the full text of the measures. Due to this reduced funding, the Secretary of State's office reduced the scope of the publication of these measures. In FY 2015, at the August and November elections, there were 9 statewide Constitutional Amendments or ballot propositions that cost \$1.1 million to publish (an average of \$122,000 per issue). Despite the FY 2015 reduction, the Secretary of State's office will continue to assume, for the purposes of this fiscal note, that it should have the full appropriation authority it needs to meet the publishing requirements. Because these requirements are mandatory, the office reserves the right to request funding to meet the cost of its publishing requirements if the Governor and the General Assembly again change the amount or continue to not designate it as an estimated appropriation.

Officials from the **Office of the State Public Defender** indicated this initiative petition will not have any substantial impact on their office.

Officials from the **State Treasurer's office** indicated no impact to their office.

Officials from **Greene County** indicated there are no estimated costs or savings to report from their county for this initiative petition.

Officials from the **City of Kansas City** indicated this initiative petition has no fiscal impact on their city.

Officials from the **City of Raymore** indicated no fiscal impact.

Officials from **Metropolitan Community College** indicated this would not have a financial impact on their college.

Officials from **Platte County Board of Elections** indicated the changes proposed in the petition would have no fiscal impact on their office.

The State Auditor's office did not receive a response from the **Department of Agriculture**, the **Department of Transportation**, **Adair County**, **Boone County**, **Callaway County**, **Cass County**, **Clay County**, **Cole County**, **Jackson County Legislators**, **Jasper County**, **St. Charles County**, **St. Louis County**, **Taney County**, the **City of Cape Girardeau**, the **City of Columbia**, the **City of Jefferson**, the **City of Joplin**, the **City of Kirksville**, the **City of Mexico**, the **City of St. Joseph**, the **City of St. Louis**, the **City of Springfield**, the **City of Union**, the **City of Wentzville**, the **City of West Plains**, **Cape Girardeau 63 School District**, **Hannibal 60 School District**, **State Technical College of Missouri**, **University of Missouri**, **St. Louis Community College**, **St. Louis County Election Board**, **St. Louis City Election Board**, **Kansas City Election Board**, **Jackson County Election Board**, and **Clay County Election Board**.

Fiscal Note Summary

It is estimated this proposal will increase state government costs up to \$285,000 annually or \$57,000 per election, and have an unknown increase in costs for local governmental entities.